



PATENT  
Attorney Docket No. 02860.0789

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Tohru Kimura et al. ) Group Art Unit: 2655  
Application No.: 10/821,940 ) Examiner: Unassigned  
Filed: April 12, 2004 )  
For: OPTICAL PICKUP DEVICE, ) Confirmation No.: 2135  
OPTICAL INFORMATION )  
RECORDING AND )  
REPRODUCING APPARATUS )  
AND OBJECTIVE LENS )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patent publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

In lieu of a statement of relevance or translation of the non-English documents, an English language version of a search report from the Austrian Patent Office in a corresponding application citing these documents and setting forth the relevance thereof is enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

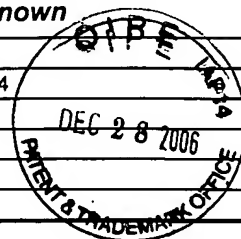
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: December 28, 2006

By:   
David W. Hill  
Reg. No. 28,220

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| IDS Form PTO/SB/08: Substitute for form 1449A/PTO<br><br><h2 style="text-align: center;">INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(Use as many sheets as necessary)</p> |   |    | <b>Complete if Known</b> |                |  |
|                                                                                                                                                                                                                      |   |    | Application Number       | 10/821,940     |  |
|                                                                                                                                                                                                                      |   |    | Filing Date              | April 12, 2004 |  |
|                                                                                                                                                                                                                      |   |    | First Named Inventor     | T. Kimura      |  |
|                                                                                                                                                                                                                      |   |    | Art Unit                 | 2655           |  |
|                                                                                                                                                                                                                      |   |    | Examiner Name            | Unassigned     |  |
|                                                                                                                                                                                                                      |   |    | Attorney Docket Number   | 02860.0789     |  |
| Sheet                                                                                                                                                                                                                | 1 | of | 1                        |                |  |



| U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS |                       |                                          |                                         |                                                 |                                                                           |
|-----------------------------------------------------|-----------------------|------------------------------------------|-----------------------------------------|-------------------------------------------------|---------------------------------------------------------------------------|
| Examiner Initials                                   | Cite No. <sup>1</sup> | Document Number                          | Issue or Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|                                                     |                       | Number-Kind Code <sup>2</sup> (if known) |                                         |                                                 |                                                                           |
|                                                     |                       | US-2002/0167739 A1                       | 11-14-2002                              | K. Ota et al.                                   |                                                                           |
|                                                     |                       | US-2003/0002175 A1                       | 01-02-2003                              | T. Kojima                                       |                                                                           |
|                                                     |                       | US-                                      |                                         |                                                 |                                                                           |
|                                                     |                       | US-                                      |                                         |                                                 |                                                                           |
|                                                     |                       | US-                                      |                                         |                                                 |                                                                           |
|                                                     |                       | US-                                      |                                         |                                                 |                                                                           |
|                                                     |                       | US-                                      |                                         |                                                 |                                                                           |
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|                                                     |                       | US-                                      |                                         |                                                 |                                                                           |
|                                                     |                       | US-                                      |                                         |                                                 |                                                                           |

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

| FOREIGN PATENT DOCUMENTS |                       |                                                                                 |                                |                                                 |                                                                           |                          |
|--------------------------|-----------------------|---------------------------------------------------------------------------------|--------------------------------|-------------------------------------------------|---------------------------------------------------------------------------|--------------------------|
| Examiner Initials        | Cite No. <sup>1</sup> | Foreign Patent Document                                                         | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | Translation <sup>6</sup> |
|                          |                       | Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known) |                                |                                                 |                                                                           |                          |
|                          |                       | EP 1 067 530 A2                                                                 | 01-10-2001                     | N. Arai                                         |                                                                           |                          |
|                          |                       | 2001-194581                                                                     | 07-19-2001                     | O. Kohei                                        |                                                                           |                          |
|                          |                       | 2002-236252                                                                     | 08-23-2002                     | K. Toru                                         |                                                                           |                          |
|                          |                       | 2003-006908                                                                     | 01-10-2003                     | S. Tomohiko                                     |                                                                           |                          |

| NON PATENT LITERATURE DOCUMENTS |                       |                                                                                                                                                                                                                                                                 |                          |
|---------------------------------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Examiner Initials               | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation <sup>6</sup> |
|                                 |                       | Search and examination report from Intellectual Property Office of Singapore                                                                                                                                                                                    |                          |
|                                 |                       | Search Report from the Austrian Patent Office                                                                                                                                                                                                                   |                          |
|                                 |                       |                                                                                                                                                                                                                                                                 |                          |
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|                    |  |                 |  |
|--------------------|--|-----------------|--|
| Examiner Signature |  | Date Considered |  |
|--------------------|--|-----------------|--|

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.